

MINUTES, LIMESTONE COUNTY COMMISSION, OCTOBER 6, 2014

The Limestone County Commission met in a regular meeting today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

PRESENT: Gary Daly, Steve Turner, James W. "Bill" Latimer, and Ben Harrison.
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to approve the minutes of September 15 & October 1, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by Steve Turner to approve the following claims

9/12/14	Check # 30045 – 30119	\$ 817,609.53
9/15/14	Check # 30020	\$ 256,887.43
9/18/14	Check # 30121 – 30123 & 30130337	\$ 106,867.10
9/19/14	Check # 30124 – 30222	\$ 428,952.41
9/19/14	Check # 30223	\$ 210.18
9/26/14	Check # 30224 – 30225	\$ 490.35
9/26/14	Check # 30226 – 30323	\$ 726,164.77
9/30/14	Check # 30324 – 30391	<u>\$ 674,960.85</u>
	TOTAL	\$3,012,142.62

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Ben Harrison to approve the attached Tennessee Valley Authority Agreement for Radiological Emergency Preparedness Funding and revise FY 2015 budget, retroactive to October 1, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to award the following bid proposal to the lowest responsible bidder meeting specifications as follows:

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Proposal No.	Item	Awarded To	Amount
2499	Gasoline & Diesel Oct. 11, 2014 to Jan. 11, 2015	McPherson Company	\$0.132 gallon
2500	Uniforms (Sheriff's Department)	Reject bid – rebid	

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Gary Daly to approve Family Medical Leave for John Moore beginning September 18, 2014 and ending September 26, 2014.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Gary Daly to approve the following merit increases, which are included in the base pay and cost of living pay as listed below.

Name	Position	Effective Date
Billy Boldin	Equipment Operator III	10/19/14
Stephen Croley	Deputy	10/02/14
Eddie Gilbert	Emergency Mgt. Officer	10/10/14
James Hardaway	Case Manager	10/31/14
Emily Lewter	Deputy	10/28/14
Gary Lovell	Corrections Officer	10/18/14
John McCormick	Deputy	10/16/14
Leah Moran	Communications Officer	10/07/14
Bryan Robinson	Equipment Operator III	10/03/14
Michael Stinnett	Patrol Lieutenant	10/17/14
Julian Tyler	Corrections Officer	10/26/14
Norma Underwood	Corrections Officer	10/02/14

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Ben Harrison to approve the following subdivision:

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Name	S/D Type	Approval Type	Lots	District	Location
Brigadoon Highland I Replat Lots 10 & 11	Minor	Preliminary & Final	10A	3	13195 St. Andrews Dr.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to approve the following subdivision:

Name	S/D Type	Approval Type	Lots	District	Location
Tweedy Property	Minor	Preliminary & Final		4	Happy Hollow Rd

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Gary Daly to remove the following items from inventory:

Department	Item	Serial #	Inventory #
Information Technology	ARC Vault Overland Storage	2B829000374	4597
Information Technology	Gateway Monitor	MW66ABOE04249	
Revenue Commission	Compaq Desktop & Dell Monitor	6929CCKB2968 CNOY9998-72872-5AM1DUL	
Revenue Commission	APC SMIT1500 RM2U	SAS1130222862	
Revenue Commission	Sony DVD Writer	81BA55062656DRX 810ULUC20511	
Revenue Commission	Dell RG 1000 Power Vault	FZCV311	4842
Revenue Commission	Dell DVD Power Edge 1950	D1F1RB1	4453
Revenue Commission	APC SMARTUP 2200	SAS1120110901	
Revenue Commission	Dell GX620, Dell Monitor, Keyboard & Mouse	JQGRBB1 CDKRBB1 DHKRBB1 9LKRBB1	4483 4484 4485 4486

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

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MOTION was made by Gary Daly and seconded by Steve Turner to transfer the following equipment:

Transferred from	Transferred to	Item
District 1	Elkmont High School	Hobart Meat Slicer

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to approve the following Indigent Burial Policy.

Limestone County Indigent Burial Policy

County Responsibility

Pursuant to §38-8-2 of the *Code of Alabama* (1975), as amended, the Limestone County Commission ("Commission") shall be responsible for the cost of necessary burial expenses of any deceased person having no estate and leaving no relatives in Limestone County with the ability or estate adequate to defray such necessary burial expenses upon the presentation of an account of such burial expenses and determination being made that same is an indigent burial as determined by law.

"Necessary burial expenses" shall include the cost of services rendered as part of the burial process, expenses related to transporting a body from the place of death to the place of burial, and the cost of preparing the body for burial. "Necessary burial expenses" shall also include the cost of cremation so long as same complies with applicable laws concerning cremation and cremation is not forbidden by any religious belief of the deceased.

Indigent Burial Eligibility Determination

To be eligible for payment of necessary burial expenses, the decedent must have passed away in Limestone County, Alabama, the decedent must have no estate in the County with the ability or assets sufficient to defray the necessary burial expenses, and the decedent must have no relatives in the County with the ability to defray such necessary burial expenses. The responsibility of the County for making payment for such necessary burial expenses may be in whole or in part to the extent that the deceased's estate or relatives in the County are unable to.

A determination of indigent status shall include, but in no way be limited to, death benefits from life insurance policies, burial insurance and prepaid burial plans, veterans benefits which may pay toward burial expenses, and any social security or other retirement benefits which may be payable to the decedent's burial expenses or

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considered part of the decedent's estate such that same may be used to pay necessary burial expenses.

Any claim or presentment of the account of such necessary burial expenses made to the County shall be forwarded to the County Administrator. Upon a determination by the County Administrator that the account of necessary burial expenses qualifies as an indigent burial, the County Commission Chairman and County Administrator shall be authorized to make payment of up to \$700.00 for such necessary burial expenses without further action of the Commission. Any claim for burial expenses above this amount shall be approved by the Commission. The County Commission Chairman and County Administrator shall further be authorized to enter into such agreements as may be necessary for the payment of such necessary burial expenses and/or to make a record of same.

If no known relative can be located, the County Administrator shall attempt to determine the decedent's eligibility for an indigent burial. If the County Administrator is not informed of and cannot determine whether a relative is in the County, the County Administrator and their designee(s) shall proceed as may be necessary in an attempt to determine the decedent's eligibility for an indigent burial.

To this end, the County Administrator shall be authorized to take such action as may be necessary to make a predetermination of whether a decedent has an estate and/or relatives in the County with the ability or estate adequate to defray the decedent's necessary burial expenses, which predetermination shall include reviewing the claim, account, and all other such documents presented with an application for payment, and conducting such investigation as may be allowed by law in an effort to make such a predetermination.

The County Administrator shall report its predetermination to the County Commission's Chairman and/or the County Commission as same may be necessary. If it is determined that the decedent died having no estate or leaving no relatives in the County with the ability or estate adequate to defray the necessary burial expenses, the County shall proceed to make payment for such necessary burial expenses as may be required by law.

Exclusions

Except as same may be determined necessary to an indigent burial, necessary burial expenses shall not include the expenses of embalming the deceased.

Limestone County and its Commission shall not provide for or subsidize privately arranged funerals, cremations, visitations, and/or interments, nor shall the Commission be responsible for payment of burial expenses for any person who died having a prepaid burial plan or burial insurance benefits sufficient to cover such expenses and burial.

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Limestone County and its Commission shall not be responsible for any funeral or burial services provided by a funeral home or vendor with family members of the decedent or other such third parties for expenses and services beyond necessary burial expenses.

“Necessary burial expenses” will not include arrangements for visitations or memorial services.

The Commission shall not be responsible for any expenses beyond those that may be determined as “necessary burial expenses” under this policy or otherwise by law.

Responsible Relatives/Party

Pursuant to Alabama law, the responsibility for necessary burial expenses shall first be upon the decedent’s estate and relatives in the County that have the estate or ability adequate to defray the decedent’s necessary burial expenses and any resources of either shall be first applied to necessary burial expenses.

Application Process

Applications for an indigent burial shall be made to the County Administrator immediately following the death or as immediately thereafter as possible.

Any person presenting an account for payment of necessary burial expenses shall complete an application.

The Applicant shall provide all documents necessary to verify the death of the decedent and an itemized amount of necessary burial expenses claimed in a timely manner.

Failure to provide all information requested to verify and determine the necessity of the claimed burial expenses may result in a denial of the application and claim for payment.

Reservation of Right to Reimbursement and Collection

If any death benefits, insurance benefits, assets, or other such available resources sufficient to defray the decedent’s necessary burial expenses are later discovered or appear after an indigent burial determination is made, Limestone County and its Commission reserve the right to have same applied to the payment of any such necessary burial expenses claimed of the County but not yet paid by the Commission, and also the right to claim and/or seek collection of any such benefits, assets, or resources to reimburse any payment of necessary burial expenses already made by the County.

The rights reserved to Limestone County and its Commission shall include all such legal processes necessary to seek payment, reimbursement and/or collection of necessary burial expenses from the decedent’s estate or relatives, up to and including, but not limited to, filing a claim against the decedent’s estate in Probate Court, filing a civil action, or any other such legal process or cause of action as may be allowed by law.

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve the following road improvement project in District 1.

Road Name	Length in miles	Note	Cost
Hays Mill Road	3	Strip Patching	\$100,000.00

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

Recessed at 10:07 a.m. until 10:00 a.m. on Wednesday, October 15, 2014, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.